## FINDINGS OF FACT AND CONCLUSIONS OF LAW

\* \* \* \* \* \* \* \* \* \* \*

The Petitioners herein request a variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 35 ft., in lieu of the required 50 ft. for an addition, as more particularly described on Petitioners' Exhibit No. 1.

The Petitioners having filed a Petition for Residential Variance, and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, including letters in support for the Petition from their numediate neighbors, and the photographs presented, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photos, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Affidavit in support of Administrative Variance

Baldwin MO

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to

That the Affiant(s) does/do presently reside at 4713 Carroll Mayor Road

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative

Due to the lack of space, we wish a variance to build an

additional room for expectant child to be born this fall Because

of the structural design of this house, the only practical

Construction of this addition would still bave a minimum of 871

I HEREBY CERTIFY, this 3rd day of September, 1992, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiantt(s), and made oath in due form of law

location to build the addition would be out the side.

testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

between dwellings.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 15 day of October, 1992 that the Petition for a Zoning Variance from Section 1A04.3.B.3 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a side yard setback of 35 ft., in lieu of the required 50 ft. for an addition, in accordance with Petitioners' Exhibit No. 1, is hereby GRANTED, subject, however, to the following restriction which are conditions precedent to the relief granted herein:

> 1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> > -2-

Zoning Commissioner for Baltimore County

610

Three cop es of the zoning description of your property are required. Type or print this description, standard 8-1/2" x 11" sheets are acceptable. Most property

ZONING DESCRIPTION FOR 4713 Carroll MANOR RD.

centerline of the nearest improved intersecting street <u>Allison</u> RD. (name of street) (number of feet of right-of-way width) wide. \*Being Lot # 3 , Block \_\_\_\_\_, Section # \_\_\_\_\_ in the subdivision of WEBSTER PARK (name of subdivision)

> then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed

Typical metes and bounds: N.87 12' 13" E. 321.1 ft., S.18 27' 03" E.87.2 ft., S.62 19' 00" W. 318 ft., and N.08 15'

descriptions, as stated on a deed, do not have adequate information. The zoning description must be in the following form:

as recorded in Baltimore County Plat Book # 52, Folio # 106, containing (square-fact or acres) Also known as 47/3 CARROLL MANOR RID. and located in the // Election District, 6 Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, Liber \_\_\_\_, Folio \_\_\_\_ " and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

22" W. 80 ft. to the place of beginning.

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

October 15, 1992

Mr. and Mrs. Gerard E. Quinn 4713 Carroll Manor Road Baldwin, Maryland 21013

> RE: Petition for Administrative Variance Case No. 93-85-A

Dear Mr. and Mrs. Quinn:

Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Zoning Commissioner

LES:mmn encl.

## Petition for Administrative Variance 93-85-4 to the Zoning Commissioner of Baltimore County for the property located at 4713 Carroll Manor Road

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1AO4.3.3.3 To Allow a side york setback of 35' in lies of the required 50'

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardehip or practical difficulty) Due to lack of space, we wish a variance to build an additional room for expectant child to be born this fall. Because of the structural design of this house, the only practical location to build the addition would be out the side. Construction of this addition would still leave a minimum of 87' between dwellings.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

| Contract Purchaser/Lessee          |                                       | I/We do solemnly declare and affirm under the penalties of perjuny that i/we are the legal owner(s) of the property which is the subject of this Pertron  Legal Owner(s) |
|------------------------------------|---------------------------------------|--|
| (Type or Print Name)               | · · · · · · · · · · · · · · · · · · · | Gerard E. Quinn  |
| Signature                          |                                       | Signature Signature  |
| Address                            |                                       | Susan L. Quinn   |
| City State Attorney for Petitioner | Zipcode                               | Signature 2. Tuinn   |
| Type or Print Name)                |                                       | 4713 Carroll Manor R& 592-284 Address  |
| ignature                           |                                       | City Name Address and phone number of legal owner contacted.  State Zipcode to be contacted.   |
| ddress Phone N                     | o                                     | Chip MAjo-   |
| ity State                          | Zipcode                               | Address MD 21013 Phone No 21013  |

Baltimore County Government Office of Zoning Administration and Development Management Office of Planning & Zoning

111 West Chesapeake Avenue Towson, MD 21204

October 8, 1992

(410) 887-3353

Mr. & Mrs. Gerard E. Quinn 4713 Carroll Manor Road Baldwin, MD 21013

> RE: Item No. 88, Case No. 93-85-A Petitioner: Gerald E. Quinn, et ux Petition for Administrative Variance

Dear Mr. & Mrs. Quinn:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief. AS WITNESS my hand and Notarial Seal. Systember 3, 1992 October 1, 1993

GERARD E. QUINN + SUSAN L. QUINN

The Sale Should be a congress of regular

Gorold & Suson Quinn

Location of property: 1/5 Grand Mover R& (H1/3) 860' E/ Allison RA

Proposty to be 20 7- 11

Location of Signe Tessing Tours way , It entrones of Drive May Landwing In

receipi

Zoning Commisioner

111 West Chesapeake Avenue

County Office Building

8A COD9:17AM09 (1) 92

Please Make Checks Payable Fair Baltimore County \$85.00

Account: R-001-6150

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Your petition has been received and accepted for filing this

10th day of September, 1992

Zoning Plans Advisory Committee

Petitioner: Gerard E. Quinn, et ux Petitioner's Attorney:

Printed on Recycled Paper

09/22/92 Project Name Zoning Issue Meeting Date Stonegate at Patapsco (Azreal Property) 6-1-92 TE (Waiting for developer to submit plans first) COUNT 1 Walter T. Anderson and Charles E. Maynard 9/21/92 Comment DED DEPRM RP STP TE Oliver Jones/Long Green Hotel DED DEPRM RP TSP TE William G. Zimmermann for Estate of A.V. Williams DED DEPRM RP STP TE Lorenz Construction, Inc. Gerard E. and Susan L. Quinn NC DED DEPRM RP STP TE Michael S. and Margaret L. Craft DED DEPRM RP STP TE Eric H. and Margaret W. Naviasky NC Abrams Development Group Richard H. O'Connell NC 

Maryland Department of Transportation State Highway Administration

Hal Kassoff

111 W. Chesapeake Avenue Towson, Maryland 21204

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration

Please contact David Ramsey at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

BALTIMORE COUNTY, MARYLAND INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Zoning Administration and

DATE: September 23, 1992

Ervin Mc Daniel, Chief Office of Planning and Zoning

Development Review Section

Development Management

Petition(s) from Zoning Advisory Committee September 21, 1992

The Office of Planning and Zoning has no comments on the following petition(s): William Zimmerman for Estate of A.V. Williams, Item No. 86 -

If there should be any further questions or if this Office can provide additional information, please contact Francis Morsey in the Office of Planning at 887-3211.

Gerard and Susan Quinn, Item No. 88

EMcD: FM: bis

09/22/92 **GPW/Traffic Engineering** \* Development Review Committee Response Form
Authorized signature Date 9/22/92 File Number Meeting Date Stonegate at Patapsco (Azreal Property) TE (Waiting for developer to submit plans first) COUNT 1 Walter T. Anderson and Charles E. Maynard 9/21/92 Oliver Jones/Long Green Hotel DED DEPRM RP TSP TE William G. Zimmermann for Estate of A.V. Williams \* Lorenz Construction, Inc. DED DEPRM RP STP TE Gerard E. and Susan L. Quinn DED DEPRM RP STP TE Michael S. and Margaret L. Craft DED DEPRM RP STP TE Eric H. and Margaret W. Naviasky DED DEPRM RP STP TE Abrams Development Group DED DEPRM RP STP TE Richard H. O'Connell DED DEPRM RP STP TE FINAL TOTALS Recidio 1/39/993-85-A 10/13/92

BALT ORE COUNTY, MARY AND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

Mr. Arnold Jablon, Director Zoning Administration and Development Management

DATE: October 1, 1992

ZONING OFFICE

FROM: J. Lawrence Pilson JLP/MM5 Development Coordinator, DEPRM

Zoning Item #88 4713 Carroll Manor Road Zoning Advisory Committee Meeting of September 21, 1992

The Department of Environmental Protection and Resource Management offers the following comments on the above referenced zoning item.

Development of the property must comply with the Regulations for the Protection of Water Quality, Streams, Wetlands and Floodplains.

**QUINN/TXTSBP** 

Baltimore County Government

700 East Joppa Road Suite 901 Towson, MD 21204-5500

SEPTEMBER 30, 1992

(410) 887-4500

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204

RE: Property Owner: GERARD E. QUINN AND SUSAN L. QUINN

Location: #4713 CARROLL MANOR ROAD

Zoning Agenda: SEPTEMBER 21, 1992 Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy.

Planning Group \ / / Fire Prevention Bureau Special Inspection Division

JP/KEK

Department of Recreation and Parks

Development Review Committee Response Form

Authorized signature

Date 9/30/92 Zoning Issue Meeting Date T. Anderson and Charles E. Maynard 9/21/92 Oliver Jones/Long Green Hotel William G. Zimmermann for Estate of A.V. Williams ED DEPRM RP STP TE No Comment Lorenz Construction, Inc. Gerard E. and Susan L. Quinn DECKTI AL SIL IE Michael S. and Margaret L. Craft DED DEPRM RP STP TE Eric H. and Margaret W. Naviasky DED DEPRM RP STP TE ED DEPRIM RP 51P IE Abrams Development Group DED DEPRM RP STP TE EN DERRI RE SIE IE Richard H. O'Connell DED DEPRM RP STP TE FINAL TOTALS \*\*\* END OF REPORT \*\*\*

**ZONING OFFICE** 











